



01/21/02

ATTORNEY DOCKET NO. 7 SCH-52

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MAKINSON ET AL.

Serial No.: 09/450,890

Filed: November 29, 1999

Confirmation No.: 8294

Title: MODULAR METER CONFIGURATION
AND METHODOLOGY

Group Art Unit: 2858

Examiner: Nguyen, Vinh

Our Account No.: 04-1403

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee
Total Effective Claims 79 minus 79 = 0		x \$18 =	\$ 0.00

Independent Claims 8 minus 8 = 0		x \$80 =	\$ 0.00
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If amendment enters proper multiple dependent claim(s) into this application for first time, add \$270.00 (per application)

Since Official Action set an original due date of March 11, 2002,

PETITION is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$390; 3 months \$890; 4 months \$1390)

If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00)

SUBTOTAL:

If "small entity" verified statement filed [] previously,
[] herewith, enter one-half (1/2) of subtotal and subtract

TOTAL:

Other: Response to Notice of Non-Compliant Amendment; Amendment; Appendix A,

Appendix B and Appendix C

TOTAL FEE ENCLOSED:

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

Post Office Box 1449
Greenville, South Carolina 29602
Phone: 864-271-1592
Facsimile: 864-233-7342

DORITY & MANNING
ATTORNEYS AT LAW, P.A.

By Atty: RICHARD M. MOOSE Reg. No.: 31,226

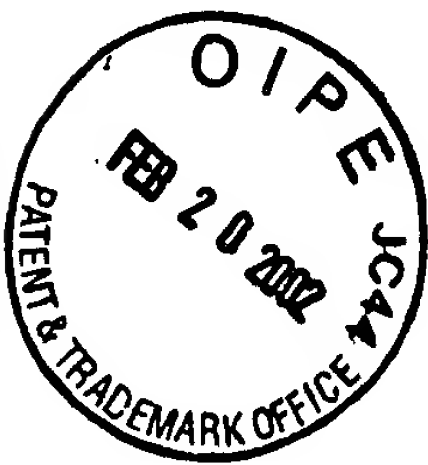
Signature: Richard M. Moose

I hereby certify that this correspondence and any referenced attachment and fee are being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231, on February 20, 2002.

Denise Bulkeley

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



EXPRESS MAIL CERTIFICATE OF MAILING

In re Application of: Makinson et al.

Entitled:

Modular Meter Configuration and Methodology

Serial No.: 09/450,890

Filing Date: November 29, 1999

Attorney Ref.: SCH-52

"Express Mail" - Mailing Label Number EL863289020 US

Date of Deposit February 20, 2002

RECEIVED
FEB 27 2002
TECHNOLOGY CENTER 2800

I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Non Fee Amendment, Washington, DC 20231-0001.

Denise Bulkeley

(Typed or printed name of person mailing paper or fee)

Denise Bulkeley

(Signature of person mailing paper or fee)



ATTORNEY DOCKET NO.: SCH-52

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
MAKINSON ET AL.

Serial No.: 09/450,890

Filed: NOVEMBER 29, 1999

For: MODULAR METER CONFIGURATION
AND METHODOLOGY

Examiner: NGUYEN, VINH

Art Unit: 2858

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Honorable Commissioner of Patents
Washington, D.C. 20231

Honorable Commissioner:

In response to a Notice of Non-Compliant Amendment, Applicants respectfully request reconsideration and allowance of the subject application, based upon the following corrected amendment. The previously submitted amendment was deemed as lacking "a clean version of the replacement paragraph (s)/ section (s)" required in accordance with 37 C.F.R. 1.121 (b)(1)(ii). In accordance therewith, the corrected amendment has been altered to include the required replacement paragraphs/sections which are submitted as Appendix C herewith.

Respectfully submitted,

DORITY & MANNING,
ATTORNEYS AT LAW, P.A.

Feb. 20, 2002
Date

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FEB 21 2002
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,890	11/29/1999	DAVID N. MAKINSON	SCH-52	8294

22827 7590 02/11/2002

DORITY & MANNING, P.A.
POST OFFICE BOX 1449
GREENVILLE, SC 29602-1449

EXAMINER

NGUYEN, VINH P

ART UNIT

PAPER NUMBER

2829

DATE MAILED: 02/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

D & M DOCKETING

Action Due: Reply

Date Due: 11 MR 2002

Initials: HN

TECHNOLOGY CENTER 2800

FEB 27 2002

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FEB 18 2002

DORITY AND MANNING



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 2-1-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see *65 Fed. Reg. 54603*, Sept. 8, 2000, and *1238 O.G. 77*, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☒ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: _____

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. **A condensed version of a sample amendment format is attached.**

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant **supplies the omission or correction** to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to **supply the omission or correction noted above** in order to **avoid abandonment**. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Ms. Hawkins
Legal Instruments Examiner (LIE)